## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

CHARLES SWIFT,	
Plaintiff,	8:15CV372
V.	) )
CITY OF OMAHA, OFFICER KYLER, COUNTY COURT, NEBRASKA DOUGLAS COUNTY, and JUDGE BOWIE,	) MEMORANDUM AND ORDER ) )
Defendants.	) ) )

On January 20, 2016, the court informed Plaintiff that he needed to take the following actions to proceed in this court: (1) Submit the \$400.00 filing and administrative fees to the clerk's office or submit a request to proceed in forma pauperis, and (2) File an amended complaint that stated a claim upon which relief could be granted. (Filing No. 7.) Plaintiff did not comply with either of these directives. Instead, Plaintiff filed an "Appeal" with the Eighth Circuit Court of Appeals. (Filing No. 9.) The Eighth Circuit recently dismissed Plaintiff's Appeal. (Filing No. 20.)

In light of Plaintiff's appeal, rather than dismiss this action at this time, the court will once again direct Plaintiff to file the previously identified documents. Should Plaintiff fail to do so, this case will be dismissed without further notice.

## IT IS THEREFORE ORDERED:

1. Plaintiff must take the following actions within 30 days in order for this case to proceed in this court: (a) Plaintiff has the choice of either submitting the \$400.00 filing and administrative fees to the clerk's office

or submitting a request to proceed in forma pauperis, and (b) Plaintiff must file an amended complaint that states a claim upon which relief may be granted. Failure to take these actions will result in the dismissal of this case without further notice.

2. The clerk of court is directed to set the following pro se case management deadline: May 2, 2016: check for payment or MIFP and amended complaint.

DATED this 5<sup>th</sup> day of April, 2016.

BY THE COURT:

s/ Richard G. Kopf

Senior United States District Judge